

Commonwealth of Virginia

PRIVATE SECURITY SERVICES ADVISORY BOARD

December 2, 2003
Quarterly Meeting Minutes

Comfort Inn, Alexandria, Virginia

Call to Order:

At approximately 10:00 a.m., Chair Mary Kay Wakefield called the meeting to order for the Private Security Services Advisory Board (PSSAB)

Opening Remarks:

Chair Mary Kay Wakefield thanked all who attended with a special thanks to John Kochensparger who had made all the arrangements for the meeting.

Attendees:

Chair Mary Kay Wakefield, Vice Chair P. Robbie Robertson, Jr., Deborah Aylward, Kevin Hodges, Sean D. Creamer, Stephen Martin, Christopher J. DiMartino, Brent Fortner and R. Robert Shuster.

Absent:

Secretary Dennis VanDuzee
Lieutenant Paul Midgett

Approval of Minutes:

Minutes for the October 7, 2003, meeting were reviewed. Three minor corrections required to the minutes, page 5, Add Item #3, FOIA Exemption to the Legislative Committee Report and Page 6, change "addresses" to "addressed." A motion was made by Ms. Aylward, seconded by Mr. Robertson, to accept the minutes as corrected. Minutes were unanimously approved.

DCJS Report:

- Ms. Hahn, Interim Section Chief presented a recap of the October Private Security Services Conference held in Virginia Beach. There were 212 registered attendees, up from 196 in 2002. There were a lot of new initiatives; the industry was recognized by the Governor with the Proclamation of a Private Security Services Week and a press release announcing the new Crime Prevention Practitioner Program (PCPP). Ms. Hahn asked if the PSSAB would consider creating a Conference Sponsorship Committee for the 2004 conference to assist DCJS for requesting sponsorship money. The committee should start soon and have a target date of June 30, 2004 for receipt of sponsorship money. Ms. Hahn indicated that her goal this year is to have the brochure go to print 60 days ahead of last year's schedule.

Ms. Aylward made a motion that the PSSAB create a Conference Sponsorship Committee, Mr. DiMartino seconded and the motion passed unanimously. Mr. Christopher DiMartino will Chair the committee.

Ms. Hahn reported that she is looking at the final copy for the PCPP brochure, before she approves it to be printed, pens are being ordered, the application has been posted to the web and the training schedule has been posted. There will be a mass mailing announcing the program in the near future.

- Pursuant to the new Regulations Relating to Private Security, it is a requirement that applicants shall be a United States Citizen or legal resident alien of the United States. To ensure that the Department complies with the new regulations, we are asking for verification that applying individuals meet this requirement. This can be accomplished by having either a certified compliance agent or certified training director provide their signature on the fingerprint application if they have verified the applicant's legal presence or the applicant must attach a copy of either their birth certificate, U.S. passport or documentation verifying legal presence when submitting their fingerprint processing application. A list of additional documents that may be used to verify legal presence and the current fingerprint processing application (PSS_FP) are posted on our website. Ms. Hahn will send an e-mail to explain the process to all compliance agents, school directors and instructors.
- The Virginia State Police purchased a fingerprint scanner for our department. DCJS now has to do the data entry but the criminal history response turnaround time has been drastically reduced. Since the department is utilizing the electronic submittal, the applicant need only provide one fingerprint card.
- The Crime Commission has been studying and will submit a legislative package recommending that DCJS regulate Bail Bondsmen and Bail Recovery Agents by January 2006. A Public Hearing will be held Wednesday, December 3, 2003 in the General Assembly at 10:00 A.M.
- Ms. Hahn announced that she will be meeting with our Licensing staff and IT staff to work out the internal process for issuing DMV Identification Cards by mail. DCJS would love to start this program within the next few months. The program would be available to those that have a valid driver's license with picture on file, they would request on their renewal that they elect to pay the extra fee to avoid having to go to DMV personally and DCJS would mail the ID card to the applicant. Program will not work for out-of-state personnel.
- Calls to DCJS have gone from 500-700 per week to 1200-1400 per week. Two staff members with one person backing up answer these calls. Ms. Hahn offered a suggestion to reduce the calls by encouraging compliance agents to attempt to be the sole person to communicate with DCJS .
- Our "Sherlock" program is becoming antiquated and DCJS may have to look at alternative information systems to replace our present Sherlock database.
- We have also added a Compliance Agent page to the website and we are working toward Online Training. Mr. Walker will address the training issues.
- Ms. Hahn announced that we were having a retirement party for Danny Wright at the Airport Holiday Inn, on Williamsburg Road, Sandston, Virginia, January 31, 2004 at 7:00 P.M. Invitations should be sent out at the end of December.
- The Special Conservator of the Peace Program (SCOP) will start taking applications January 1, 2004. Registration processes, fees and training standards have been

established. The emergency regulations have been approved by DPB and the Secretary's office. They are currently at the Governor's office. The day the regulations receive the Governor's approval is the day we submit them to the Registrar's Office and they will become effective immediately.

- Ms. Hahn presented a report regarding the SCOP registration process. To become a Special Conservator of the Peace, the individual would submit an application, fingerprints, fee, a drug and alcohol screening (by LabCore), surety or cash bond or certificate of insurance in the amount of \$10,000 and completion of initial training. Once a person has completed this process, they will be issued a temporary registration letter that they take to the Circuit Court where they are seeking appointment. Once appointed, they file a copy of the order with DCJS. DCJS will then issue final registration letter that will allow individual to receive a photo ID. Renewal will be every 12 months with in-service training every 12 months.

Mr. Burt Walker discussed travel vouchers and the new "Advanced Travel Approval Form."

- Compliance Agent Entry Level has been scheduled for the coming year. All will be on Monday's in Richmond to accommodate travelers. They will be held either at the Holiday Inn Koger Center or at the Sheraton Inn on Midlothian Turnpike.
- Compliance Agent In-Service classes have been scheduled and many will be held at Consolidated Laboratory facilities. They are under DCJS and the facilities will be at no charge. The Dale City Volunteer Department has approved us using their facility in 2004. Classes will be held either on Monday or Friday.
- General Instructor Entry Level classes are scheduled and will be at the State Police Academy in Richmond.
- Instructors must now take In-Service training every two years so we may have to add additional classes.

Any additional training will be posted on the web.

- DCJS anticipates online training for Electronic Security in-service, Instructor in-service and PI in-service hopefully by the February of next year.
- The Compliance Agent webpage has the Compliance Agent Reference Manual that can be downloaded.
- DCJS will be adding websites for Training School Directors and Instructors to communicate information sooner and improve the communication.

Committee Reports:

Training Committee

Mr. Martin is planning a meeting last of January or first of February in either Roanoke or Lynchburg. Will be posted on website. Will be looking at online training and low-light simulator, especially on the goggles.

Commonwealth Preparedness

Mr. Fortner reported on the 4 initiatives that went before the Secure Virginia Panel, chaired by former Lieutenant Governor Hager.

1. The Private Security orientation for Virginia Basic Law Enforcement Training Academies was approved.
2. The Homeland Security Networking Initiative was approved and the department has developed an 8-hour training program for the Compliance Agents.
3. The "In the Line of Duty Initiative was defeated.
4. The First Responder Recognition was tabled. However, we are going to reword the proposal and take it to the panel.

There will be a Commonwealth Preparedness Committee meeting January 15, 2004 at 10:30 A.M. in Harrisonburg, Virginia. We will post the meeting on the Website. They will discuss the initiatives that did not go forward and decide if they want to endorse them and send forward to the PSSAB. They will also discuss any new proposed initiatives.

Legislative Committee

Mr. Hodges reported that the committee met December 1, 2003 at 4:00 P. M. to go over modifications to issues presented at the Conference in October.

- Adding the following definitions.

"Detector canine" means any dog that is used to detect drugs and/or explosives.

"Detector canine handler" means any individual who utilizes a detector canine in the performance of private security duties.

"Detector canine team" means a detector canine handler and a detector canine performing private security duties.

"Detector canine handler examiner" means any individual that examines the proficiency and reliability of detector canines and detector canine handlers in the detection of drugs and/or explosives.

Added "detector canine handler" and "detector canine teams" to definition for "Private security services business."

Added "detector canine handler" under "Private security services registrant."

Added “or, (xi) detector canine handler” to “Registration category.”

Under Paragraph “D” § 9.1-139 Code of Virginia add “detector canine handler.”

Under Paragraph “F” § 9.1-139 Code of Virginia add “detector canine handlers.”

- U. S. Citizenship

Add definition § 9.1-138 to the Code of Virginia: “Lawful Permanent Resident” (LPR) means any natural person not a citizen of the United States who is residing in the U.W. under legally recognized and lawfully recorded permanent residence as an immigrant [Also know as “Permanent Resident Alien,” “Resident Alien Permit Holder,” and “Green Card Holder.”] US Bureau of Citizenship and Immigration Services.

- FOIA Exemption

Adding paragraph 88, “Records of the Private Security Services of the Department of Criminal Justice Services as follows:

- A. Strick “certification.”
- B. Records of active investigations, no change.
- C. Add “or other personal information as defined in § 2.2-3801 of a regulated natural person.”
- D. Added to end “proprietary information or trade secrets as defined in § 59.1-336 of a regulated natural person.”

Mr. Fortner questioned wording of §9.1-139.C., “No person shall be employed by a licensed private security services business in the Commonwealth as *an armed security officer* . . .” because this applies to everybody not just armed security officers. Ms. Hahn will get clarification for the Attorney General’s office.

After much discussion it was decided to reword § 9.1-139 to remove “armed security officer” and add “certified or registered pursuant to § 9.1-139”

Mr. Hodges moved to reword § 9.1-139.C by striking “armed security officer” and replacing with “certified or registered pursuant to § 9.1-138.” Mr. DiMartino seconded the motion. Motion passed unanimously.

Mr. Hodges moved to approve the Canine Detector and FOIA changes submitted by the Legislative Committee. Mr. Robertson seconded the motion. Motion passed unanimously.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

The next meeting of the PSSAB is scheduled for March 23, 2004 in Roanoke. Due to budget restraints, meeting may be moved to Richmond. Final decision will be made in about a week and information will be disseminated to the Board.

Public Comments:

Susan Richardson: Spoke on behalf of herself and as a Training School Director and Instructor wanted to know if the cost of lab screening for Conservators of the Peace came from the individual. Ms. Hahn advised that the fee is to be paid by the individual directly to LabCore and that DCJS will not get any of that fee.

Ms. Richardson also wanted to know who approved the training for the Conservators of the Peace and when will that training be available? Ms. Hahn answered that Ms. Ellen Spain of DCJS has been accepting outlines from training schools and has started approving schools. When approved, the information will be on the website.

Mr. Richardson wanted to know if there would be Partial Waivers for those of us who are Law Enforcement Firearms Instructors if we have our Advanced Handgun Certification? Ms. Hahn stated that “yes, this would qualify for a partial waiver.”

Travis Hall, American Security Group wanted to know when you had to take training to be a Conservator of the Peace. Mr. Walker and Ms. Hahn explained that you can take training at any time but you will not be approved for a temporary registration until all elements of the process are complete.

Mr. Hall stated his dissatisfaction with the defeat of the Legislative Initiative making assault on a uniformed security officer a felony.

Leon Baker wished the Board and members of the Industry a Happy Holiday Season on behalf of himself and the Director of DCJS, Leonard Cooke.

There being no further business before the Board, Mr. Hodges made a motion to adjourn. Mr. Fortner seconded the motion. The motion was unanimously approved.

Public Attendees:

John Kochensparger
Michael P. I. Bennett
Richard Fox
Larry Daniel
Judith M. Daniel
Martha M. Clancy
Kathleen Horton
Raymond Chow, Sr.
Karl VanZandt
Hayword Long
Barry D. Horton

George Haudricourt
Mike Rowe
Susan Richardson
Ron McKown
Beth Cain
Lynn Oliver
Doug Duerr
Kim Patterson
Emil Wengel
Shirley Moore
Rafael V. Pabon
Lynn H. Herring